

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

**BENJAMIN J. GONZALEZ,**

**Plaintiff,**

**v.**

**No. CIV-16-0909 JB/LAM**

**STATE OF NEW MEXICO, et al.**

**Defendants.**

**ORDER TO CURE DEFICIENCY**

Plaintiff submitted a civil rights complaint (*Doc. 1*) on August 5, 2016. The Court determines that Plaintiff's filing is deficient as described in this order. Plaintiff is directed to cure the following if he wishes to pursue his claims:

**I. Filing Fee:**

  X   filing fee has not been received (\$400 civil/administrative)

**II. Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915:**

- (1)   X   is not filed
- (2)        is missing affidavit
- (3)        is missing certified copy of prisoner's inmate account statement for the 6-month period immediately preceding this filing
- (4)        is missing required financial information
- (5)        is missing an original signature by the prisoner
- (6)        is not on proper form (must use current form)
- (7)        names in caption do not match names in caption of complaint, petition or habeas application
- (8)        other \_\_\_\_\_

**III. Complaint, Petition or Application:**

- (1)        is missing
- (2)   X   is not on proper form (must use our form Rev. 5/96)
- (3)        is missing an original signature by the prisoner
- (4)        is missing page nos.
- (5)        other \_\_\_\_\_

Papers filed in response to this order must include the civil action number (CIV 16-0909 JB/LAM) of this case. Failure to cure the designated deficiencies **within thirty (30) days from the date of this order** may result in **dismissal** of this action without further notice.

**IT IS THEREFORE ORDERED** that Plaintiff cure the deficiencies designated above **within thirty (30) days from the date of this order;**

**IT IS FURTHER ORDERED** that the Clerk is directed to mail to Plaintiff, together with a copy of this order, the following forms: Two (2) copies each of an Application to Proceed in District Court Without Prepaying Fees or Costs, Financial Certificate, and a form § 1983 complaint with instructions.

**IT IS FURTHER ORDERED** that, if Plaintiff fails to cure the designated deficiencies **within thirty (30) days from the date of this order**, this action may be dismissed without prejudice without further notice.

**IT IS SO ORDERED.**

  
\_\_\_\_\_  
**LOURDES A. MARTÍNEZ**  
**UNITED STATES MAGISTRATE JUDGE**